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PATENT APPLICATION

RESPONSE UNDER 37 CFR §1.116  
EXPEDITED PROCEDURE  
TECHNOLOGY CENTER ART UNIT 1772

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Tadashi KURIYAMA et al.

Group Art Unit: 1772

Application No.: 09/555,578

Examiner: B. Egan

Filed: July 26, 2000

Docket No.: 106336

For: TACK LABELS AND PLASTIC CONTAINERS WITH SUCH TACK LABELS

REQUEST FOR RECONSIDERATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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2004  
TC 1700

Sir:

In reply to the October 1, 2003 Office Action and the December 18, 2003 personal interview, reconsideration of the above-identified application is respectfully requested.

Claims 1, 2, 6-8 and 12 are pending.

Entry of the Request is proper under 37 CFR §1.116 since the Request: (a) places the application in condition for allowance for the reasons discussed herein; (b) does not raise any new issues requiring further search and/or consideration; (c) does not add any additional claims; and (d) places the application in better form for appeal, should an appeal be necessary. Entry of the Request is thus respectfully requested.

Applicants appreciate the courtesies extended by Examiner Egan to Applicants' representative during the December 18, 2003 personal interview. The points discussed are incorporated into the Remarks below and constitute Applicants' record of the interview.

Claims 1, 2, 6-8 and 12 were rejected under 35 U.S.C. §103(a) over GB 2,259,291 (GB'291) in view of Romagnoli, U.S. Patent No. 4,060,168. The rejection is respectfully traversed.

Neither GB '291 nor Romagnoli disclose or suggest a tack label with a non-adhesive masking layer formed in a central part of the adhesive layer so that the adhesive layer has a ring-shaped adhesive area and formed at only a part of an edge of the adhesive area as recited in claim 1 and as similarly recited in claim 8.

As admitted of page 3 of the Office Action, GB '291 fails to disclose the non-adhesive masking layer as recited in Applicants' claims 1 and 8.

Romagnoli fails to overcome the deficiencies of GB '291 because Romagnoli fails to provide a non-adhesive masking layer at only a part of an edge of the adhesive area. Fig. 7 of Romagnoli discloses a label 16 with a plurality of cut portions 22 and 23 (col. 3, lines 20-31). Cut portion 22 may include a projecting section 32 which extends beyond the edge of the label 16. Also, the label 16 may include a projection tab 34 which facilitates manual grasping of the label 16 and removal of the label 16 from the container.

However, as shown in Fig. 7 of Romagnoli, the cut portion 22 is formed not only at a part of an edge of the adhesive area, but also includes a projecting section 32 which extends beyond an edge of the adhesive area. Romagnoli fails to disclose or suggest Applicants' advantage in maintaining the position of a label on a container by limiting their non-adhesive masking layer to only a part of an edge of the adhesive area.

Furthermore, Romagnoli discloses a label construction in which the cut portion 22 extends over the entire circumference such that the entire region of the label 16 on the outer side of the cut portion 22 forms an annular adhesive area. It would be therefore desirable to facilitate removal of the label 16 from the container 30, and this is achieved by the projecting section 32 that extends beyond the edge of the label 16. In contrast, according to claims 1 and 8, the label

can be readily removed from the container by providing a non-adhesive masking layer not only at the central part of the adhesive area, but also at a corner part (i.e., end marginal part 6b in Fig. 2). Such an arrangement of claims 1 and 8 is neither taught nor suggested by Romagnoli.

As discussed during the personal interview, Applicants clarify that when a non-adhesive masking layer is formed at only a part of an edge of the adhesive area, Applicants assert that the non-adhesive layer is only formed within the edges of the tack label on a part of the exposed adhesive area remaining (i.e., ring-shaped adhesive area) after a non-adhesive masking layer is formed at a central part of the adhesive layer. For example, the end marginal part 6b of Applicants' Fig. 2 is formed at only a part of an edge of the adhesive area. Romagnoli fails to disclose this feature because, as discussed, Romagnoli discloses a projection section 32 that extends beyond the edge of the label 16 and is thus not formed at only a part of an edge of the adhesive layer.

Accordingly, neither GB '291 nor Romagnoli disclose or suggest all of the features recited in Applicants' claims 1 and 8. In addition, claims 2, 6, 7 and 12 recite additional features of the invention and are also believed to be allowable at least for the reasons discussed above with respect to claims 1 and 8 and for the additional features recited therein. It is respectfully requested that the rejection be withdrawn.

Claims 1, 2, 6 and 8 were rejected under 35 U.S.C. §103(a) over Dudzik et al. (Dudzik), U.S. Patent No. 4,444,839 in view of Romagnoli. The rejection is respectfully traversed.

As admitted on page 5 of the Office Action, Dudzik fails to disclose the non-adhesive masking layer as recited in Applicants' claims 1 and 8. As discussed above, Romagnoli fails to disclose the non-adhesive masking layer as recited in Applicants' claims 1 and 8. As such, neither Dudzik nor Romagnoli disclose or suggest the features recited in Applicants' claims 1 and 8. In addition, claims 2 and 6 recite additional features of the invention and are also believed to be allowable at least for the reasons discussed above with respect to claim 1 and for

the additional features recited therein. It is respectfully requested that the rejections be withdrawn.

Claims 7 and 12 were rejected under 35 U.S.C. §103(a) over Dudzik in view of Romagnoli and further in view of Freedman et al. (Freedman), U.S. Patent No. 6,165,576. The rejection is respectfully traversed.

Freedman fails to overcome deficiencies of the other applied references in disclosing or suggesting the non-adhesive masking layer as recited in Applicants' claims 1 and 8. In addition, claims 7 and 12 recite additional features of the invention and are also believed to be allowable at least for the reasons discussed above with respect to claims 1 and 8 and for the additional features recited therein. It is respectfully requested that the rejection be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 2, 6-8 and 12 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number set forth below.

Respectfully submitted,



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JAO:SMS/sxb

Date: December 29, 2003

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